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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No	EV 335 858 132 US
Application Number	09/760,506
Filing Date	January 12, 2001
First Named Inventor	Charlotte A. Kensil
Group Art Unit	1636
Examiner Name	Celine X. Qian
Attorney Docket No.	8449-153-999

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on ____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed ____
- iii. ☐ Other ____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/Declaration(s): Declaration of Charlotte Kensil under 37 C.F.R. § 1.132.
- iii. ☒ Supplemental Information Disclosure Statement (IDS) with revised PTO Form 1449 with a copy of references AQ-AV.
- iv. ☒ Other : Petition for Extension of Time

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months.
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other ____

3. **Fees**

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Pennie & Edmonds LLP Deposit Account No. 16-1150:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 385.00 (small entity)
- ii. ☐ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ _____ for a _____ month extension, the request for which is being made herewith
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Adriane M. Antler	Registration No. (Attorney/Agent)	32,605
Signature		Date	December 30, 2003

CERTIFICATE OF MAILING OR TRANSMISSIONI hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner For Patents, P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450, or by facsimile transmitted to fax no. 1-703-_____ to the U.S. Patent and Trademark Office on the date indicated below.

Name (Print/Type)		Registration No. (Attorney/Agent)	
Signature		Date	

+

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450.

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NY2: 1482375.1



Express Mail No. EV 335 858 132 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Charlotte A. Kensil

Confirmation No.: 2171

Application No.: 09/760,506

Group Art Unit: 1636

Filed: January 12, 2001

Examiner: Celine X. Qian

For: INNATE IMMUNITY-STIMULATING
COMPOSITIONS OF CPG AND SAPONIN
AND METHODS THEREOF

Attorney Docket No.: 8449-153-999

AMENDMENT UNDER 37 C.F.R. § 1.114

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the outstanding Office Action dated July 2, 2003, and pursuant to 37 C.F.R. § 1.114, please enter the following amendments and consider the following remarks. Attached herewith is a Declaration of Charlotte Kensil under 37 C.F.R. § 1.132, including Exhibits A through D and Appendix 1 ("the Kensil Declaration"). Applicant also submits herewith: (1) a Petition for Extension of Time for three months, up to and including January 2, 2004; (2) a Supplemental Information Disclosure Statement with revised PTO Form 1449 with a copy of references AQ-AV; (3) An Amendment Fee Transmittal; and (4) a Request for Continued Examination ("RCE").

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 5 of this paper.

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